

EXHIBIT B

REDACTED DOCUMENT

Mallory Benner

From: Mallory Benner
Sent: Tuesday, May 13, 2025 8:20 PM
To: 'Bernie Kleinman'
Cc: Ronald Giller
Subject: RE: Updated Search Term List Based on New Information - Johnson v. Clearview AI
Attachments: RE: Updated Search Term List Based on New Information - Johnson v. Clearview AI

Hi Bernie,

We are following up - yet again - regarding the multiple unresolved issues concerning your client's discovery obligations. Despite our repeated efforts to engage and avoid further discovery issues - including emails sent on April 17, April 25, May 6, and May 8 - we have yet to receive a substantive response. Your only reply, following our May 8 communication, merely indicated that our request had been forwarded to your client. However, there has been no further update since then.

Rather than reiterate the same points for a fifth time, we are reattaching our May 8 email, which outlines the specific outstanding issues that still require your attention.

Please promptly respond.

Sincerely,



MALLORY J. BENNER
Associate

290 W. Mount Pleasant Ave, Suite 3310, Livingston, NJ 07039
D: 973.549.2555 | M: 703.999.7380
mbenner@grsm.com

grsm.com
vCard

From: Bernie KLEINMAN <attrnylwyr@yahoo.com>
Sent: Thursday, May 8, 2025 11:41 AM
To: Mallory Benner <mbenner@grsm.com>
Subject: Re: Updated Search Term List Based on New Information - Johnson v. Clearview AI

External Email: STOP! LOOK! THINK! before you engage.

This message came from outside GRSM.

I have forwarded to my client and am
Awaiting a response

Sent from my iPhone 16 Pro
Law Office of Bernard V. Kleinman, PLLC
108 Village Square

Suite 313
Somers, NY 10589-2305
Tel: 914-644-6660
Fax: 914-694-1647
Mobile: 203-981-0781

On May 8, 2025, at 11:38 AM, Bernie KLEINMAN <attrnylwyr@yahoo.com> wrote:

Fyi

Sent from my iPhone 16 Pro
Law Office of Bernard V. Kleinman, PLLC
108 Village Square
Suite 313
Somers, NY 10589-2305
Tel: 914-644-6660
Fax: 914-694-1647
Mobile: 203-981-0781

Begin forwarded message:

From: Mallory Benner <mbenner@grsm.com>
Date: May 8, 2025 at 11:03:05 AM EDT
To: Bernie Kleinman <attrnylwyr@yahoo.com>
Cc: Ronald Giller <rgiller@grsm.com>
Subject: RE: Updated Search Term List Based on New Information
- Johnson v. Clearview AI

Hi Bernie,

We are following up on our email dated May 6, 2025, regarding several outstanding discovery issues. Specifically, we have not received a response as to the revised search term list, confirmation of records being search for ESI, and information concerning the ESI vendor selection.

As you will recall, we previously sent revised search term lists and requests for confirmation of the scope of documents being searched on April 17, 2025, following Plaintiff's supplemental submissions, and again on April 25, 2025, after receipt of Plaintiff's second supplemental submissions. Neither communication received a response.

Again, please confirm the following:

1. That Plaintiff will be conducting the ESI search with the revised search term list provided on May 6;
2. That all phone records associated with the phone number identified in response to Interrogatory No. 7, as well as email accounts (including the 3 identified in our May 6 correspondence), and social

media platforms that were identified will be searched using the updated search term list;

3. The ESI vendor Plaintiff has chosen to conduct the ESI search;
4. That Plaintiff intends to serve his supplemental document production on or before May 16 as ordered by the Court; and
5. That Plaintiff will be submitting supplemental interrogatory responses with **all** responsive information.

In addition, to ensure Plaintiff's ESI is produced in a reasonably usable form, we are requesting that all emails be produced as PST files, and non-email files be produced in native format with associated metadata.

Finally, in accordance with Judge Failla's recent order, please find attached the amended deposition notice for Plaintiff.

We look forward to your prompt response.

Sincerely,

GRSM50
GORDON REES SCULLY MANSUKHANI
YOUR 50 STATE LAW FIRM™

MALLORY J. BENNER
Associate

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From: Mallory Benner
Sent: Tuesday, May 6, 2025 11:28 AM
To: Bernie Kleinman <attrnylwyr@yahoo.com>
Cc: Ronald Giller <rgiller@grsm.com>
Subject: Updated Search Term List Based on New Information - Johnson v. Clearview AI

Hi Bernie,

Upon further investigation, it has been discovered that your client used additional email addresses during the restricted period that were **not** disclosed in his answers to interrogatories. These additional email addresses include:

1. CharlesJohnsonwork@protonmail.com
2. chuckwalla1022@gmail.com
3. charles@heirloom.ai

As we have *repeatedly* requested, please have your client supplement his answers to interrogatories to include **all responsive information** immediately, or we will again seek sanctions.

In light of this new discovery, Defendants have created another revised search term list, which is attached. The inclusion of the additional terms are individuals and/or entities whom Defendants believe Plaintiff made statements to about Defendants.

Please confirm that all phone records associated with the phone number identified in response to Interrogatory No. 7, as well as, email accounts (including the 3 identified above), and social media platforms that were identified will be searched using the attached search term list.

Finally, you have not disclosed which ESI vendor Plaintiff has chosen. As you recall, if Plaintiff does not choose a vendor from our recommended list, Defendants have the first right of first refusal per Judge Failla's order.

Please advise at your earliest convenience.

Sincerely,



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GORDON REES SCULLY MANSUKHANI, LLP
YOUR 50 STATE LAW FIRM™
www.grsm.com

<Johnson v. Clearview AI - Amended Dep Ntc to Pltff -
05.08.25(101707607.1).pdf>

Mallory Benner

From: Mallory Benner
Sent: Friday, April 25, 2025 4:43 PM
To: Bernie Kleinman; Ronald Giller
Subject: RE: Johnson v Clearview
Attachments: Counter-Plaintiffs Suggested Search Terms - Resp. from Defendants - Counter-PL's Comments - Updated 4.23(101134459.1).docx

Hi Bernie,

We have updated the search term list (attached) in light of your client's supplemental submissions. Any terms added have been included in redline.

As requested via email on April 17, please confirm whether the universe of your client's documents to be searched include text messages, Substack posts, and any other posts or messages on social media accounts.

Thank you.

Mallory



MALLORY J. BENNER
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From: Bernie Kleinman <attnylwyr@yahoo.com>
Sent: Tuesday, April 22, 2025 4:27 PM
To: Mallory Benner <mbenner@grsm.com>; Ronald Giller <rgiller@grsm.com>
Subject: Johnson v Clearview

External Email: STOP! LOOK! THINK! before you engage.

This message came from outside GRSM.

Please see attached.

Bernard V. Kleinman, Esq.
Attorney-at-Law
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LinkedIn: <https://www.linkedin.com/in/bvkattorney>

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Et cognoscetis veritatem, et veritas liberabit vos

Mallory Benner

From: Mallory Benner
Sent: Thursday, April 17, 2025 2:53 PM
To: 'Bernie Kleinman'; Ronald Giller
Subject: RE: Johnson v Clearview AI

Hi Bernie,

As a follow-up to our previous email, if your client would prefer to wire the money directly to Clearview, we can obtain the wiring instructions. Otherwise, a check to our firm will suffice. Please confirm which method your client prefers.

We have also reviewed the supplemental discovery responses and find several of Plaintiff's responses deficient.

First, Plaintiff's response to Interrogatory No. 17 is still deficient. The Interrogatory requests the identification of all Clearview investors and/or shareholders whom Plaintiff made statements to that impugned, attacked or were critical of, or otherwise mentioned the reputation, business, or character of Clearview, Hoan Ton-That and/or Richard Schwartz. The supplemental response indicates who Plaintiff made critical statements about, but fails to identify **who he made these statements to** – which is the basis for this Interrogatory.

Plaintiff's response to Interrogatory No. 6 is also deficient. Plaintiff identified three (3) lawsuits that he has been a party to; but failed to identify at least two (2) other lawsuits that Defendants are aware of that Plaintiff was a party to. Specifically, there were two complaints filed by Johnson against Point Bridge Capital and Hal Lambert in the Eastern District of Virginia that were not identified. Please supplement this Interrogatory to include **all** responsive information.

Plaintiff's response to Interrogatory No. 7 is also deficient. Plaintiff identifies some of his electronic accounts, but fails to identify all relevant accounts. As Plaintiff divulged in the January court hearings, he used the platform "Signal" to communicate concerning matters related to Clearview; however, he failed to identify this account in response to this request. Plaintiff also failed to identify his X.com account – although it is our understanding that the account is currently deactivated, it was active during the relevant time requested in this Interrogatory, and therefore, should have been identified. Again, please supplement Plaintiff's answers to include **all** responsive information.

Moreover, Defendants are aware that Plaintiff made disparaging statements about Clearview to [REDACTED] via text message that were **not** identified in any of Plaintiff's answers to interrogatories. Defendants are also aware Johnson made critical statements to Tyler Bass, John (last name not identified), and David (last name not identified) – pursuant to the documents Plaintiff originally produced in discovery. These are just examples, and are not meant to constitute the entirety of all potentially responsive information, as it is **Plaintiff's** burden to sufficiently answer the interrogatories requested. Again, please supplement Plaintiff's answers to include **all** responsive information.

Please supplement the deficient responses within **five (5) days**, to avoid the need for further judicial intervention.

In addition, based on Plaintiff's supplemental discovery responses, Defendants request the following search terms be added to the previously agreed-upon search term list:

- "Washington Post"
- "Luke O'Brien" or "O'Brien"

- "Mother Jones"
- "Floyd Abrams" or "Abrams"
- "Richard A. Clarke" or "Richard Clarke" or "Clarke"
- "Lee Wolosoky" or "Wolosoky"
- "Lisa Linden" or "Linden"
- "[REDACTED]" or "[REDACTED]"

Thank you.

Sincerely,



MALLORY J. BENNER
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From: Mallory Benner
Sent: Thursday, April 17, 2025 12:23 PM
To: Bernie Kleinman <attrnylwyr@yahoo.com>; Ronald Giller <rgiller@grsm.com>
Subject: RE: Johnson v Clearview AI

Hi Bernie,

Please have your client send a check made out to our firm and sent to our New Jersey office:

Attn: Ronald A. Giller, Esq. & Mallory J. Benner Esq.
Gordon Rees Scully Mansukhani, LLP
290 W. Mount Pleasant Ave
Suite 3310, Livingston, NJ 07039

In reference to potential ESI vendors, we propose any of the following:

- Alix partners;
- FTI Consulting;
- Transperfect Legal; or
- KLD Discovery.

Please also confirm whether the document search includes your client's text messages, as well as substack postings and any other social media accounts.

Sincerely,



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From: Bernie Kleinman <attrnylwyr@yahoo.com>
Sent: Wednesday, April 16, 2025 4:16 PM
To: Ronald Giller <rgiller@grsm.com>; Mallory Benner <mбенner@grsm.com>
Subject: Johnson v Clearview AI

External Email: STOP! LOOK! THINK! before you engage.

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Please see attached Supplemental responses to Interrogatories, and Notices to Admit.

Also, my client would like to arrange to pay the sanction to your client, as directed by the court, but needs to have the Bank wire information for your client.

And, you said would provide the names of ESI firms?

Ty

Bernie Kleinman

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Et cognoscetis veritatem, et veritas liberabit vos